

HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

MOTOROLA, INC., and MOTOROLA
MOBILITY, INC., and GENERAL
INSTRUMENT CORPORATION,

Defendants.

No. C10-1823-JLR

AGREED MOTION TO SET/RE-SET
PRE-TRIAL DEADLINES AND
(PROPOSED) ORDER

**NOTE ON MOTION CALENDAR:
Tuesday, August 14, 2012**

MOTOROLA MOBILITY, INC., and
GENERAL INSTRUMENT
CORPORATION,

Plaintiffs/Counterclaim Defendant,

v.

MICROSOFT CORPORATION,

Defendant/Counterclaim Plaintiff.

AGREED MOTION TO SET/RE-SET
PRE-TRIAL DEADLINES AND
(PROPOSED) ORDER

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Microsoft Corporation (“Microsoft”) and Motorola Mobility, Inc. (“Motorola Mobility”) and General Instrument Corporation (“General Instrument”) (collectively, “Motorola”) respectfully submit this joint request to set/re-set certain pretrial deadlines.

The purpose of this Agreed Motion is to clarify the current schedule outlined in the Court’s June 18, 2012 Minute Entry (Dkt. No. 346) by: (1) setting an agreed briefing schedule for *Daubert* motions; (2) clarifying the relevant deadlines for *motions in limine* (calculated pursuant to Local Civil Rule 7(d)(4)); and (3) setting a deadline for the parties’ submission of trial briefs. These proposed clarifications are set forth in the table below, which compares the current dates established in accordance with the Court’s Minute Entry with the parties’ proposed dates¹:

EVENT	CURRENT DATE	PROPOSED DATE
Deadline for filing dispositive motions ²	8/16	
Close of expert discovery	8/22	
Deadline for filing non-dispositive motions (other than <i>Daubert</i> motions and <i>motions in limine</i>)	8/23	
Deadline to file <i>Daubert</i> motions (one motion per side, limited to 24 pages)	--	9/7
Deadline for all motions to be fully briefed and noted on the motion calendar (other than <i>Daubert</i> motions and <i>motions in limine</i>)	9/10	
Deadline to file oppositions to <i>Daubert</i> motions (24 pages per side)	--	9/14

¹ Where the current date is identical to the proposed date, that date is listed only once.

² This deadline is included for completeness only; neither party intends to file any additional dispositive motions.

1	Deadline to file replies to <i>Daubert</i> motions (12 pages per side)	--	9/21
2	Microsoft to serve pretrial statement	9/24	
3	Motorola to serve pretrial statement	10/4	
4	Deadline to file <i>motions in limine</i>	--	10/11
5	Deadline to file oppositions to <i>motions in limine</i>	--	10/22
6	Pretrial order to be filed	10/24	
7	Last day to note <i>motions in limine</i>	--	10/26
8	Pretrial conference	10/29	
9	Trial briefs due	--	11/6
10	Trial	11/13	

12 These requested clarifications are not expected to cause any unnecessary delay or create
13 any undue burden for the Court. Accordingly, the parties jointly request that the Court adopt
14 the parties' proposed schedule.

15 DATED this 14th day of August, 2012.

17 **AGREED AND STIPULATED TO:**

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AGREED MOTION TO SET/RE-SET
PRE-TRIAL DEADLINES AND
(PROPOSED) ORDER - 2

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**Counsel for Motorola Solutions, Inc.,
Motorola Mobility, Inc., and General
Instrument, Corp.**

20 **IT IS SO ORDERED**

21 DONE IN OPEN COURT this ___ day of _____, 2012.

22 _____
23 HONORABLE JAMES L. ROBERT